

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

NATIONAL ASSOCIATION FOR GUN
RIGHTS,
RONDELLE AYAU, and
JEFFREY BRYANT

Plaintiffs,

vs.

HOLLY SHIKADA, in her official capacity as
Attorney General for the State of Hawai‘i,

Defendant.

CIVIL NO. 1:22-cv-404-DKW-RT

JOINT REPORT PURSUANT TO
FED.R.CIV.P. 26(f) AND LR26.1

Plaintiffs National Association for Gun Rights, Rondelle Ayau, and Jeffrey Bryant (collectively “Plaintiffs”) and Defendant Holly Shikada, in her official capacity as Attorney General for the State of Hawai‘i (“Defendant”), respectfully submit this Joint Report pursuant to Fed. R. Civ. P. 26(f) and LR26.1.

The parties held a telephone conference on October 13, 2022. Participating on the call were Barry Arrington and Caroline Elliot on behalf of the Plaintiffs and John Price and Mana Moriarty on behalf of the Defendant.

I. Summary of the Nature and Basis of the Parties’ Claims and Defenses

The Plaintiffs are seeking declaratory and preliminary and permanent injunctive relief with respect to certain provisions of HAW. REV. STAT. § 134-8 on the ground that such provisions are unconstitutional violations of Plaintiffs’ Second Amendment rights. Defendant’s Answer to Plaintiffs’ Complaint is due November 7, 2022. Defendant opposes the Plaintiffs’ request and denies that any sections of HAW. REV. STAT. § 134-8 are unconstitutional.

II. Possibilities for Prompt Settlement or Resolution of the Case

None or very limited.

III. Other Matters

Plaintiffs plan to file a motion for preliminary injunction within the next several days.

Defendant plans to file a motion to dismiss for lack of subject matter jurisdiction.

Plaintiffs' position is that (1) disclosures; (2) commencement of discovery and (3) setting this matter for trial should be deferred until after this preliminary motions practice is completed.

Defendant's position is that discovery should be conducted, as necessary, in accordance with the Federal Rules of Civil Procedure, and the deadlines and processes regarding such should be handled in the normal course.

The parties have discussed alternative dispute resolution options, including, without limitation, the option of participation in the court's mediation program. The parties are prepared to consider this matter further and discuss options at the scheduling conference. As noted above, prospects of prompt settlement are very limited.

Respectfully submitted this 24th day of October 2022.

/s/ Barry K. Arrington

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